

(Ireland.)

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To suspend Proceedings for recovering Payment of the
Money advanced under the Acts for establishing Tithe
Compositions in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WH **HEREBY** by an Act passed in the third and fourth Preamble.
years of His Majesty's reign, intituled, "An Act for the
Relief of the Owners of Tithes in Ireland, and for the Amendment of
an Act passed in the last Session of Parliament, intituled, 'An Act
to amend three Acts passed respectively in the fourth, fifth, and in the
seventh and eighth years of the reign of his late Majesty King
GEORGE the Fourth, providing for the establishing of Compositions
for Tithes in Ireland, and to make such Compositions permanent,' "
it is amongst other things enacted, that it should be lawful for any
person entitled to any Tithes arising out of Lands in Ireland, for the
years One thousand eight hundred and Thirty-one, One thousand
eight hundred and Thirty-two, or One thousand eight hundred and
Thirty-three, to make application to the Lord Lieutenant, praying
relief under the said Act in respect of such Tithes; and it is further
enacted, that such application should be made by a Memorial, with a
Schedule thereto annexed, setting forth such particulars as in the said
Act are in that behalf mentioned; and it is by the said Act further
enacted, that the said Memorial and Schedule amended, as therein
is mentioned, should be transmitted in manner therein mentioned to
the Lord Lieutenant, who should thereupon authorize and direct such
sum to be advanced to such Memorialist as should appear by the said
Memorial and Schedule to be due and owing to him on account of
the Tithes therein included; and it is thereby further enacted, that
the said Lord Lieutenant should cause every such original Memorial

and

and Schedule, together with a Certificate under his hand of the amount of the advances so made to the Memorialist, to be lodged in the Office of the Remembrancer of the Court of Exchequer in Ireland, and that the amount stated in each such Certificate to have been so advanced should be repaid by five equal instalments, the first thereof to be made on the First day of November One thousand eight hundred and Thirty-four, and one of the four remaining instalments on the First day of November in each of the succeeding four years, in the manner and subject to the conditions recited in the said Act : 5

And whereas, under the powers contained in the said Act, advances to a large amount have been made to parties entitled to Tithes arising out of Lands in Ireland for the said years One thousand eight hundred and Thirty-one, One thousand eight hundred and Thirty-two, and One thousand eight hundred and Thirty-three . 10

And whereas it may be expedient not to enforce immediate payment from the parties to whom such advances have been made of the several instalments which became due from them on the First day of November One thousand eight hundred and Thirty-four, and on the First day of November One thousand eight hundred and Thirty-five : 15

And whereas by an Act passed in the fifth and sixth years of His Majesty's reign, intituled, " An Act to suspend, until after the Sixth day of April One thousand eight hundred and Thirty-six, Proceedings for recovering Payment of certain Instalments of the Money advanced under the Acts for establishing Tithe Compositions in Ireland," it was enacted, that it should be lawful for the Lords Commissioners of His Majesty's Treasury, if it should seem to them expedient so to do, to delay or suspend the institution or prosecution of any proceedings for recovery or enforcing payment of any such instalments as aforesaid, until after the Sixth day of April One thousand eight hundred and Thirty-six : 20 25 30

And whereas it is expedient to make further and other provisions with respect to the recovery of the said instalments and of the instalments which will become due and payable on the First day of November One thousand eight hundred and Thirty-six ;

Enacted therefore Enacted, by The KING'S most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT the powers and authorities vested by the said last recited Act in the Commissioners of His Majesty's Treasury, shall be and the same are hereby revived and continued ; and that it shall be lawful for the said Commissioners, or any Three or more of them, to delay or suspend the institution or prosecution of any proceedings 40

proceedings for recovery or enforcing payment of any of the said instalments already become due or to become due on the First November One thousand eight hundred and Thirty-six, until and after the Sixth day of April One thousand eight hundred and Thirty-seven: Provided always, That the institution or prosecution of such proceedings shall not be delayed or suspended under the authority of this Act, in any case in which the parties applying for such delay or suspension have received the whole or the greater part of the Tithes due to them respectively for the years One thousand eight hundred and Thirty-four and One thousand eight hundred and Thirty-five.

Repayment of
Instalments
postponed.

And be it further Enacted, That it shall not be lawful for the Commissioners of His Majesty's Treasury to suspend or delay the institution or prosecution of any proceedings for the recovery of the said instalments, in any case in which, either by act of law or the undertaking of the parties, the said instalments have become due and payable by the Owner or Landlord, and have ceased to be payable by the Tenant in possession.

2.
Com-
missioners of
Treasury may
stop Proceed-
ings for
recovery of
Instalments.

Provided always, and be it further Enacted, That the provisions of this Act shall not extend or be construed to extend to the case of any instalment due by any Lay Impropricator to whom advances were made under the authority of the Act of the third and fourth years of His Majesty's reign, in respect of Tithes chargeable upon Lands the estate and property of the said Impropricator.

3.
Act not to
extend to
Instalments
due from Lay
Impropricators.

And be it further Enacted, That the institution of proceedings for the recovery of such instalments shall not be delayed or suspended in any case in which the parties shall neglect or refuse to furnish to the satisfaction of the Commissioners of His Majesty's Treasury such information as the said Commissioners shall acquire for the purpose of enabling them to decide how far it may be expedient to delay or suspend the institution of such proceedings.

4.
Proceedings
not to be
stopped where
Parties refuse
Information to
Commissioners.

And be it further Enacted, That an account shall be laid before both Houses of Parliament within *Ten Days* after the *Fifth* day of April One thousand Eight hundred and Thirty-seven, of all sums recovered in respect of any of the said instalments, accompanied by a statement of the several cases in which, under the power and authority vested in them by this Act, the Commissioners of His Majesty's Treasury have delayed or suspended the institution or prosecution of proceedings for the recovery of the said instalments, or any of them.

5.
Account to be
necessarily laid
before Parlia-
ment.

(Ireland.)

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B I L L

To suspend Proceedings for recovering Payment of the Money advanced under the Acts for establishing Title Compositions in Ireland.

(Prepared and brought in by
*Mr. Chancellor of the Exchequer,
Lord John Russell, and Lord Viscount Morpeth.*)

Ordered, by The House of Commons, to be Printed,
9 August 1856.
